

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HUONG HOANG, an individual,

Plaintiff,

v.

AMAZON.COM, INC., a Delaware
corporation, and IMDB.COM, INC., a
Delaware corporation,

Defendants.

CASE NO. C11-1709MJP

ORDER ON MOTIONS IN LIMINE

This matter comes before the Court on the motions in limine filed by the parties (Dkt. Nos. 149 and 150), Defendant's motion to strike trial witnesses (Dkt. No. 154), and Plaintiff's motion to extend trial time (Dkt. No. 162). Having reviewed the motions, the opposition briefs (Dkt. Nos. 157, 159, and 165), and all related filings (Dkt. Nos. 151, 152, 155, 158, 160, 167, and 168), the Court enters the FOLLOWING ORDER:

PLAINTIFF'S MOTIONS IN LIMINE:

Plaintiff's first motion in limine, regarding exclusion of testimony about Plaintiff's submission of false identification documents, is DENIED.

1 Plaintiff's second motion in limine, regarding exclusion of evidence of who submitted
2 Plaintiff's 1978 birth date, is DENIED.

3 Plaintiff's third motion in limine, regarding exclusion of evidence of Plaintiff's tax
4 returns, is DENIED.

5 Plaintiff's fourth motion in limine, regarding exclusion of her real passport and driver's
6 license, is DENIED.

7 The Court RESERVES a decision on Plaintiff's fifth motion in limine, regarding
8 exclusion of internal IMDb documents related to alleged misreporting of an acting credit.

9 **DEFENDANT'S MOTIONS IN LIMINE:**

10 Defendant's first motion in limine, regarding exclusion of 71 trial exhibits not previously
11 produced or identified during discovery, is GRANTED.

12 Defendant's second motion in limine, regarding testimony about ageism in Hollywood, is
13 GRANTED. Further, the Court instructs the parties not to use the term "age discrimination"
14 during the course of this trial, because "age discrimination" is a term of art and because its use
15 may confuse the jury.

16 Defendant's third motion in limine, regarding excluding third-party opinions about
17 IMDb's policy of revealing actors' dates of birth, is GRANTED.

18 **DEFENDANT'S MOTION TO STRIKE:**

19 The Court GRANTS Defendant's motion to strike undisclosed trial witnesses and trial
20 exhibits. (Dkt. No. 154.) Exhibits and witnesses not produced in discovery may not be used
21 during trial. If Plaintiff asserts that particular documents could not have been disclosed or that no
22 hardship would occur, the Court will consider these arguments and make a decision on a case-
23 by-case basis.

1 **MOTION TO EXTEND TRIAL:**

2 The Court DENIES Plaintiff's motion for extension of the time of trial. (Dkt. No. 162.)
3 As explained during the pretrial conference, each side shall be given 7 hours of trial time.

4 **OTHER ISSUES:**

5 The parties are directed to submit a joint neutral statement of the case, joint proposed voir
6 dire sorting questions, joint set of jury instructions, any disputed jury instructions, and trial briefs
7 by 12:00 p.m. on Wednesday, April 3, 2013.

8 The clerk is ordered to provide copies of this order to all counsel.

9 Dated this 2nd day of April, 2013.

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12 Marsha J. Pechman
13 United States District Judge
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